

MEETING #3 - January 14

At a Regular Meeting (#1) of the Madison County Board of Supervisors on January 14, 2020 at 3:00 p.m. at the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: R. Clay Jackson, Chair
Charlotte Hoffman, Vice-Chair
Carty Yowell, Member
Amber Foster, Member
Jack Hobbs, County Administrator
Sean Gregg, County Attorney
Jacqueline S. Frye, Deputy Clerk

ABSENT: Kevin McGhee, Member

Call to Order, Pledge of Allegiance & Moment of Silence Determine Presence of a Quorum/Adopt Agenda

Chairman Jackson noted that Supervisor McGhee will be absent from today's session; a quorum was established.

Chairman Jackson called for additions/corrections or adoptions of today's agenda.

Supervisor Hoffman moved that the Agenda be approved as amended, seconded by Supervisor Foster. *Aye: Jackson, Foster, Yowell, Hoffman. Nay: (0). Absent: McGhee*

1. Work Session on Personnel Study: Jackson

Chairman Jackson opened the floor of the work session on the County's personnel policy. The following individuals provided comments for review and consideration:

- Leeta Louk (Clerk of Circuit Court)
- Brian Daniel (Commissioner of the Revenue)
- Mary Jane Costello (Finance)
- Leeta Louk (Clerk of Circuit Court)
- Brian Gordon (Emergency Communications)
- Noah Hillstrom (Emergency Medical Services)
- Ligon Webb (Zoning & Building)
- Tracey Gardner (Economic Development & Tourism)
- Erik Weaver (Sheriff)
- Stephanie Murray (Treasurer)
- Supervisor Yowell (regarding concerns submitted from Clarissa Berry, Commonwealth Attorney, and for the Victim Witness Program position)

The Finance Director asked for input regarding whether the Board plans to approve pay increases up to a specific Minimum based on the three (3) options provided. It was also suggested that the Board:

- Consider providing modified increases for employees with five (5) years or more of service (to offset past years when no pay increases were provided)
- Compensate employees based on total years of service

After discussion, it was the consensus of the Board to continue follow-up discussion on comments provided pertaining to the personnel study/classifications study during the upcoming budget work sessions, and to request that the Finance Director provide numbers for various funding scenarios for consideration.

Public Comment

Chairman Jackson opened the floor for public comment. The following individual(s) provided comments:

- Joe May: Comments pertained to salaries offered by recent employees vs. their predecessors; questioned the extensive mandates that smaller localities are forced to endure; encouraged the County to get rid of the old Criglersville Elementary School.
- Nick McDowell: Comments pertained to the upcoming budget season; encouraged the Board of Supervisors to consider requesting that all departments that present a budget proposal to also make some distinction between: 1) the work they have to do; 2) the work they want to do; 3) and what's needed in order to allow them to do the work they think they'll need to do; feels the upcoming year will prove to be financially challenging.

With no further comment(s) being brought forth, the public comment opportunity was closed.

Special Appearances:

2. Consideration: FY19 Audit Presentation (David Foley, Robinson, Farmer & Cox): David Foley, RFC Auditor, was present to provide highlights from the County's FY19 audit. Emphasis was placed on the:

- Independent Auditors Report & opinions
- Budget to actual
- Communication letter
- Federal compliance
- County policies/practices

Discussions focused on the increase in budget to actual for FY19 which was contributed to the fact that the County didn't spend a lot of capital funding.

In closing, Mr. Foley noted that no significant issues were noted with the overall audit process, and suggested that the County's unassigned fund balance remain within the twenty to twenty-five percent (20%-25%) of the total budget (to include the school system).

Supervisor Yowell moved that the Board approve the FY19 Audit as presented, seconded by Supervisor Foster.

Aye: Jackson, Hoffman, Foster, Yowell. Nay: (0). Absent: McGhee.

The County Administrator indicated that the overall idea as to why the audit shows an increase will be further

explained at the upcoming budget session. In closing, he questioned if the County could request that the annual audit process start earlier in the calendar year.

In closing, it was noted that the audit schedule will be assessed to see if today's request can be accomplished.

3. Share Shed Update: (Khalil Hassan, Rural Madison): Khalil Hassan of Rural Madison, was present to provide a brief overview of the time that volunteers from Rural Madison dedicate to the upkeep of the share shed [425 total hours dedicated in 2019 from the volunteers (private citizens and individuals from Rural Madison)].

A MOU between Rural Madison and the County was presented at a prior meeting for review and consideration, to which the County Attorney noted was all in order.

4. Presentation: Potential SMART Scale Projects (Alan Saunders, VDOT): *Alan Saunders, VDOT, did not attend today's meeting session.*

Constitutional Officers

County Departments

5. Presentation: Status of Animal Shelter Policy (Cave): Greg Cave, Animal Control Officer, was present to provide highlights on the proposed animal control policy in the areas of:

- ❖ Animal control operations
- ❖ Animal shelter operations
- ❖ Medical protocol

A meeting was held between the State Veterinarian, County Attorney and Commonwealth Attorney on January 31, 2020. The Board was asked to review the document and provide input.

The County Administrator suggested that document be posted to the website for public review and input. He further noted that no action has been taken on the part of the County with Best Friends Society Network at this time.

Mr. Cave noted that the representative has verbalized a willingness to attend a future meeting to provide additional information.

After discussion, it was the consensus of the Board to review the document and provide comments to Mr. Cave by January 30th.

6. Leasing Space in the Moore Building (Gardner): Tracey Gardner, Director of Economic Development & Tourism, was present to provide input on the possibility that organizations are interested in renting space in the Moore Building. An agreement to allow for renting of work space in the Moore Building was provided for review and consideration.

Chairman Jackson suggested that some policies and a standardized lease be put into place regarding the County's intent to rent work space; also suggested the proposed agreement be reviewed by the County Attorney and Commonwealth Attorney.

John Sherer, Director of Emergency Management Services, was present and suggested that the County Planner be contacted to assess whether renting the work space would call for a change in the existing zoning status of the building.

The County Administrator advised that the County will need to close on the property, and also referred to conversations regarding the work the owner plans to do, as well as work that the County intends to do.

After discussion, it was the consensus of the Board to request that a list containing all types of work needed at the building be prioritized and compiled from this point forward.

7. Presentation: Status of the Rapidan Blueway Project (Gardner): Tracey Gardner, Director of Tourism & Economic Development, was present to provide input on the proposed Rapidan Blueway Project between Rt. 231 and US Rt. 15 along the Rapidan River. The fiscal impact will total \$2,500 to help with costs associated with a feasibility study. Orange County will be the acting fiscal agent for the project. The County will receive updates on the project.

The County Administrator provided a brief overview of the course of action undertaken by the Board on September 24, 2019.

After discussion, it was suggested that this MOU be reviewed by the County attorney and brought back to the Board within two (2) weeks.

Economic Development & Tourism: Tracey Gardner, Director of Economic Development & Tourism, provided highlights from her monthly report.

2020 Census: An initial census meeting was held recently; it was also reported that college students are only counted at the college where they are attending.

EMS: Noah Hillstrom, Director of Emergency Medical services, was present to provide highlights from his monthly report; provided information on the effect of having several inoperable ambulance vehicles; suggested the County look at purchasing an additional ambulance; looking into applying for a grant (80/20 match) and a lease to purchase.

- *Supervisor Hoffman: Noted that the rescue squad is requesting that all of their emergency vehicles be moved back into their building.*

Highlights from the existing agreement for emergency vehicles was reviewed.

- Nick McDowell: Suggested that the County divert the funding currently being allocated to the rescue squad annually (for use of the ambulances; suggested the funding be diverted to the paid EMS staff.

In closing, it was noted that Steve Grayson is scheduled to attend the budget work session on February 6, 2020.

E911: Brian Gordon, Director of Emergency Communications, was present to provide an update on the proposed E911 equipment; kick off meeting is scheduled for mid-February 2020; looking to finalize power sites; talking to engineers and consultants.

Emergency Management Services: John Sherer, Director of Emergency Management Services, was present and advised that the EOP should be updated by September 2020; plans to meet with park officials (along with local law enforcement emergency services and fire/rescue personnel) on February 26th 2020 to discuss issues pertaining how to respond to emergencies within the park; active threat training continues at the end of the month; plans to provide whatever input needed regarding the VDOT smart scale project; the Red Cross would like to be included in the LEPC meetings so they can provide whatever assistance possible; plans to initiate a farm extrication class in order by the fall of 2020.

Planning Commission: Charles Michael Fisher, Commission member, was present to advise that input is being sought (from the Board) regarding a suggestion to add stand-alone, small-scale recreation" to the County's Zoning Ordinance pertaining to the rural resort ordinance (i.e. stand-alone, small scale recreation), and to remove the '100 acre' requirement; the next commission workshop is scheduled for tomorrow evening at 7 p.m.

- *Chairman Jackson: Noted that there are no cases for the February Joint Meeting - suggested this session be used as a workshop between the two governing bodies to discuss the aforementioned concerns.*
- *Supervisor Foster: Suggested that additional requirements regarding acreage be included based on the size of a particular parcel.*
- *Supervisor Yowell: Referred to verbiage pertaining to the requirements associated with a special use permit; also noted that the County Planner has compiled some very viable suggestions that could be incorporated; envisioned that the County would have an ordinance in place that would allow various activities (the same as the rural resort ordinance) on less than 100 acres.*

Mike Mosko, Commission member, was present and noted that (in his opinion) the proposed amendment to the rural resort ordinance will hinder a specific citizen (that hasn't yet filed for a special use permit) who is currently soliciting investors to assist with developing their property based on what the County has approved.

Supervisor Yowell moved that the Board of Supervisors instruct Mr. Webb (County Planner) to craft verbiage to the Rural Resort Ordinance that will allow the activities that are already called for in the Rural Resort Ordinance to be done less than 100 acres, and present this the Planning Commission for review and recommendation to the Board of Supervisors, seconded by Supervisor Hoffman. Aye: Jackson, Hoffman, Foster, Yowell. Nay: (0). Absent: McGhee.

Committees or Organizations

8. Status of County Committee Vacancies (Frye): The Board was provided an updated list of committee appointments.

- *Supervisor Foster: Advised that a candidate is still being sought for the Piedmont Workforce Development Board.*

Tourism Committee: R. Clay Jackson is the designated Board Representative.

CPMT: All existing members have agreed to serve another term.

FAPT: Morgan Corbin is now a full member of FAPT.

Finance

9. Finance Items (Costello): The Finance Director provided a brief update of events transpiring in her department and the following suggestions:

Animal Control Policy: Needs a fiscal policy in place

Moore Building: Suggested the County look at the issue of insurance for non-County uses of the space.

Supervisor Foster: Noted that the proposed agreement will require anyone renting the space to provide their own proof of insurance.

Ambulance: Suggested that a decision whether to apply for a grant seek alternative financing be research by financial consultants from Davenport, Inc.

Additional comments focused on issues related to IT, the phone system, time constraints and the upcoming budget process. Requests from all outside agencies have now been received.

Minutes

10. December 10'2019 (#45); December 18'2019 (#46); January 2'2020 (AM) (#1); January 2'2020 (PM) (#2) (Frye)

Chairman Jackson called for corrections, additions or adoption of the proposed minutes.

December 10'2019 (#45) & December 18'2019 (#46)

Supervisor Foster moved that the Board approve the minutes from December 10' 2019 (#45) and December 18'2019 (#46), seconded by Supervisor Hoffman. *Aye: Jackson, Foster, Hoffman. Nay: (0). Abstain: Yowell. Absent: McGhee.*

January 1'2020 (#1 - AM)

Supervisor Hoffman moved that the Board approve the minutes from January 2'2020 (#1 - AM), as presented, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, Foster, Yowell. Nay: (0). Absent: McGhee.*

January 2'2020 (#2 - PM)

Supervisor Yowell moved that the Board approve the minutes from January 2'2020 (#2 - PM) as presented, seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, Yowell. Nay: (0). Abstain: Foster. Absent: McGhee.*

Old Business

11. Consideration: Criglersville Elementary School Demolition Contract (Hobbs): The County Administrator advised that the contractor has agreed to extend the contract date to February 10'2020 should the Board still be interested in following through with the contractor. He suggested the Board reject all bids in the event there is no longer a desire to work with the proposed purchaser.

Supervisor Yowell moved that the Board of Supervisors reject all bids received for the demolition of the Criglersville Elementary School demolition project, seconded by Supervisor Foster. *Aye: Jackson, Hoffman, Foster, Yowell. Nay: (0). Absent: McGhee.*

New Business

12. Consideration VACo Fiscal Impact Resolution (#2020-2) (Frye): The Board was provided a brief overview of the proposed request submitted by Dean Lynch of VACo regarding fiscal impact within the localities. A resolution was presented for review and consideration.

Supervisor Foster moved that the Board adopt Resolution #2020-2 [Resolution of the Madison County Board of Supervisors Support for Equal Taxing Authority for Virginia Counties] seconded by Supervisor Yowell. ***Aye: Jackson, Hoffman, Foster, Yowell. Nay: (0). Absent: McGhee.***

The resolution read as follows:

**Resolution of the Madison County Board of Supervisors
Support for Equal Taxing Authority for Virginia Counties
Resolution #2020-2**

Whereas, under the Code of Virginia county governments have less authority to raise revenues to meet their responsibilities than do cities and towns, and

Whereas, limitations on counties' ability to raise revenues from diverse sources result in an over-reliance on real property taxes to fund basic services of local government; and

Whereas, counties are limited in their ability to raise revenues from meals, cigarette, transient occupancy, and admissions taxes that are available to cities and towns; and

Whereas, providing counties equal taxing authority merely provides local boards of supervisors the ability to levy the same taxes that may already be imposed by city councils; and

Whereas, county governments have the same responsibility as cities for the funding of and meeting state requirements for core services, such as K-12 education, public safety, social services, and public health; and

Whereas, relying too heavily on one source of revenue leaves counties vulnerable to downturns in the real estate market and population shifts; and

Whereas, additional tools to raise revenues would allow counties options to invest the necessary additional funds to respond to modern-day challenges, such as enhancing election cybersecurity; providing mental health treatment in jails; addressing substance abuse; maintaining vital infrastructure, such as water and sewer systems; and implementing Next-Generation 911 technology; and

Whereas, state enabling legislation is required to provide counties with this additional taxing authority; and

Whereas, each locality is best positioned to determine the appropriate mix of revenue sources to meet local needs;

Now Therefore, the Board of Supervisors of Madison County does hereby resolve and express its support and desire for the Virginia General Assembly to enact such legislation as is necessary to authorize Virginia counties to exercise additional taxing authority equal to that of cities and towns.

Information/Correspondence

Departmental Reports

13. Departmental Reports: The County Administrator advised of the monthly departmental reports in today's meeting packet.

Public Comment

Chairman Jackson opened the floor for public comment.

- Eleanor Montgomery: Comment pertained to a decrease in the number of volunteers at the rescue squad; concurred with the suggestion made by Nick McDowell regarding the County's funding allocation to the rescue squad.
- *Supervisor Hoffman: Referred to the fact that it's difficult to recruit individuals that are already trained.*
- Joe May: Called for clarification as to which entity receives revenue from calls (volunteers vs. paid staff).

The Director of Emergency Medical Services explained the current process and advised that the revenue is received by whichever entity has the majority of staff in place for the emergency call.

- Nick McDowell: Feels that a private organization asked the County to supplement its' organization; as time has progressed, the private organization's desire to meet its' obligations has greatly diminished while the County's responsibility has increased; suggested that the County ask the rescue squad to supplement the County as opposed to the County supplementing the rescue squad.

With no further comments being brought forth the public comment opportunity was closed.

Closed Session:

Closed Session (2.2-3711[A][1])

On motion of Supervisor Hoffman, seconded by Supervisor Foster, the Board convened in a closed session pursuant to *Virginia Code Section 2.2-3711(A)(1) for discussion on the performance of the County Administrator Jackson, Hoffman, Foster, Yowell. Nay: (0). Absent: McGhee*

Supervisor Hoffman moved that the Board re-convene in open session, seconded by Supervisor Foster. ***Aye: Jackson, Hoffman, Foster, Yowell. Nay: (0). Absent: McGhee.***

Supervisor Hoffman moved to certify that only matters lawfully exempted from open meeting requirements pursuant to Virginia Code Sections 2.2-3711(A) (1) and only matters that were identified in the motion to convene in a closed session were heard, discussed or considered in the closed meeting, seconded by Supervisor Foster. ***Aye: Jackson, Hoffman, Foster, Yowell. Nay: (0). Absent: McGhee***

- *Supervisor Yowell suggested that the Executive Administrative Assistant/Deputy Clerk to the Board to be paid overtime instead of accruing compensatory time.*
- *Supervisor Hoffman gave a report on a recent meeting of the Madison County Rescue Squad.*

The County Administrator gave a preview of the January 16th budget work session and the anticipated budget request presentation schedule

Adjourn

With no further action being required, Supervisor Foster moved to recess until 2:00 p.m. on January 16'2020 at the Madison County Fire Department 1223 N. Main Street), seconded by Supervisor Hoffman. *Aye: Jackson, Hoffman, Foster Yowell. Nay: (0). Absent: McGhee.*

R. Clay Jackson, Chairman
Madison County Board of Supervisors

Clerk of the Board of the Madison County Board of Supervisors
Copies: Board of Supervisors, County Attorney & Constitutional Officers
Adopted on: January 28' 2020

Adopted Items:

Resolution #2020-2 [Resolution of the Madison County Board of Supervisors Support For Equal Taxing Authority for Virginia Counties]



Agenda Regular Meeting

Madison County Board of Supervisors
Tuesday, January 14, 2020 at 3:00 p.m.
County Administration Building, Auditorium
414 N Main Street, Madison, Virginia 22727

Call to Order, Pledge of Allegiance & Moment of Silence

Determine Presence of a Quorum / Adopt Agenda

1. Work session on Personnel Study (Jackson)

Public Comment

Special Appearances

2. Consideration: FY19 Audit Presentation (David Foley, Robinson, Farmer & Cox)

3. Share Shed Update (Khalil Hassan, Rural Madison)
4. Presentation: Potential SMART SCALE Projects (Alan Saunders, VDOT))

Constitutional Officers

County Departments

5. Presentation: Status of Animal Shelter Policy (Cave)
6. Leasing Space in the Moore Building (Gardner)
7. Presentation: Status of the Rapidan Blueway Project (Gardner)

Committees or Organizations

8. Status of County Committee Vacancies (Frye)

Finance

9. Finance Items (Costello)

Minutes

10. December 10; 2019; December 18, 2019; January 2, 2020 (AM); & January 2, 2020 (PM) meetings (Frye)

Old Business

11. Consideration: Criglersville Elementary School Demolition Contract (Hobbs)

New Business

12. Consideration: VACO Fiscal Impact Resolution (Frye)

Information/Correspondence

Departmental Reports

13. Departmental Reports

Public Comment

Closed Session

Adjourn

1. Recess until 2:00 PM on January 18, 2020 at the Madison County Fire Department (1223 N. Main Street) Call to Order, Pledge of Allegiance & Moment of Silence